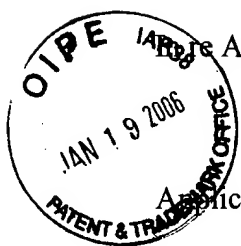


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application for:

Scott KAUFFMAN

Application No.: 09/904,419

Filed: July 12, 2001

For: APPARATUS AND METHOD FOR  
ACTIVATING AN INDUCTANCE  
LOOP VEHICLE DETECTION  
SYSTEM

Examiner: Daniel Previl

Art Group: 2636

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to his duty of disclosure under 37 C.F.R. §1.56, Applicant brings the documents listed in the attached PTO-1449 form to the attention of the Examiner in the above-identified patent application.

In accordance with the Notice published in the Official Gazette of August 5, 2003, Applicant has not provided copies of the U.S. patents listed in the attached PTO-1449.

The listed documents were cited in an Office Action dated November 22, 2005, for related continuation-in-part U.S. Patent Application No. 10/677,536, a copy of which Office Action also is attached. The Office Action is in English, and each of the cited documents is in English. Therefore, Applicant respectfully urges that no further comment is necessary in accordance with 37 C.F.R. §1.98(a)(3).

A Notice of Allowance issued for this application on November 25, 2005. Accordingly, the Commissioner is authorized to charge the fee required under 37 C.F.R. §1.97(d)(2). In addition, Applicant hereby states that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this information Disclosure Statement. Applicant therefore asks for entry of this Information Disclosure Statement in accordance with 37 C.F.R. §1.97(e)(2).

While Applicant is presenting the documents listed in the attached PTO-1449 form, Applicant does not waive any right to take appropriate action to establish patentability over the listed documents should one or more of these documents be applied as a reference against any claim in this application.

Applicant respectfully asks that the documents listed on the attached PTO-1449 form be considered by the Examiner and made officially of record, and that a listing of the same appear on the face of any patent which may issue from this application.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Telephone: 503-425-6800

By:

  
Thomas L. Evans Reg. No. 35,805

Dated: January 16, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Scott KAUFFMAN

Application No.: 09/904,419

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For: APPARATUS AND METHOD FOR  
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SYSTEM



Examiner: Daniel Previl

Art Group: 2636

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Alexandria, VA 22313-1450

**REQUEST FOR ACKNOWLEDGEMENT  
OF CONSIDERATION OF DOCUMENTS**

Sir:

Pursuant to his duty of disclosure under 37 C.F.R. §1.56, Applicant respectfully asks that the Examiner formally acknowledge consideration of the following items for the record:

- (1) U.S. Patent No. 5,652,577 to Lyman Frasier, entitled "Device And Method For Passively Activating Inductive Loop Sensor," issued July 29, 1997; and
- (2) The six (6) U.S. Patents listed in the Information Disclosure Statements that Applicant filed on November 19, 2001.

With regard to item (1), this patent was cited in an Office Action dated November 22, 2005, issued for related continuation-in-part U.S. Patent Application No. 10/677,536. Prior to this citation, however, the Examiner telephoned the undersigned on September 21, 2005, specifically to discuss this patent, and the undersigned subsequently conducted a telephonic interview with the Examiner regarding this subject matter of this patent on September 22, 2005

(the substance of this telephonic interview is summarized in the Substance Of Interview Statement being filed concurrently herewith). Applicant therefore submits that the Examiner already has considered this patent, and accordingly requests that this patent be formally made of record in this application.

Regarding item (2), Applicant timely submitted an Information Disclosure Statement on November 19, 2001, which cited six (6) U.S. patents. Further, the U.S. Patent and Trademark Office Patent Application Information Retrieval (PAIR) system indicates that this Information Disclosure Statement was recorded by the U.S. Patent and Trademark Office on January 2, 2002. Applicant therefore asks that the Examiner confirm his consideration of the six patents cited in that Information Disclosure Statement by initialing the PTO-1449 that was attached to the Information Disclosure Statement and returning a copy of the same to the undersigned.

A Notice of Allowance issued for this application on November 25, 2005, but each of the listed items already has been (or should already have been) considered by the Examiner as discussed in detail above. Accordingly, it is believed that no fees or further statements under 37 C.F.R. §1.97 are required for the Examiner to acknowledge consideration of the items listed herein. If the Commissioner deems that one or more fees are due for the acknowledgement of these items, however, the Commissioner is authorized to charge such fees to Deposit Account No. 19-0733.

Applicant therefore respectfully asks that each of the documents noted above be considered by the Examiner and made officially of record, and that a listing of the same appear

on the face of any patent which may issue from this application.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Telephone: 503-425-6800

By:

  
Thomas L. Evans Reg. No. 35,805

Dated: January 16, 2006

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	09/904,419
Filing Date	July 12, 2001
First Named Inventor	KAUFFMAN, Scott
Art Unit	2636
Examiner Name	Daniel Previl
Attorney Docket Number	005348.00001

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-6,378,772	04/30/02	Yonemura	
	2	US- 5,507,831	10/15/91	Strang, et al.	
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.